

REMARKS

Claims 1, 2, 4-28 and 30 remain pending in this application. Claims 3 and 29 have been cancelled. Independent claims 1, 11 and 26 have been amended to include the claimed feature of allowed claims 3 and 29. As such, independent claims 1, 11 and 26 (and any claims depending therefrom) are now also allowable. Consequently, the rejection of the remaining independent claims, namely claims 5, 15, and 21, is discussed. The Examiner asserts these claims are anticipated by **Bijman** (US Pat. 6,590,973). Applicant respectfully traverses this rejection.

Claim 5 is discussed first. Claim 5 first calls for transmitting a signal having at least an AC and DC component. The Examiner argues that the “signal” corresponds to the “ringing signal” in **Bijman**. See Office Action, p. 3. Claim 5 further calls for receiving a portion of the transmitted signal. Because the Examiner argues that the signal that is transmitted in **Bijman** is the ringing signal, under the Examiner’s application of **Bijman**, the signal that is received must be a portion of the ringing signal that was previously transmitted. Claim 5 further calls for determining a value proportional to a power of the AC component of the received signal over at least a portion of the period of the AC component. Because the Examiner is applying **Bijman** in the context of “ringing,” the Examiner appears to suggest that **Bijman** teaches determining a value proportional to a power to the AC component of the ringing signal. This is simply not the case.

The Examiner argues that the “determining” step of claim 5 is taught at col. 2, lines 5-22, col. 3, line 24 to col. 4, line 18 of **Bijman**. See Office Action, p. 3. These passages, however, do not even mention the term “power,” much less determining a value proportional to a power of the AC component of the received signal (the received portion of the “ringing” signal according to the Examiner). Moreover, the claim further calls for determining said power over at least a

portion of a period of the AC component. The Applicants have been unable to find this claimed feature anywhere in *Bijman*, and the Examiner is invited to point out with particularity where each of the claimed features of claim 5 is specifically found in *Bijman*. Because at least the above-discussed features are not taught or suggested by *Bijman*, claim 5 and its dependent claims are allowable. Moreover, independent claims 15 and 21 (and their respective dependent claims) are also allowable for similar reasons presented above.

Reconsideration of the present application is respectfully requested, and a Notice of Allowance is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Houston, Texas telephone number (713) 934-4064 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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